

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon. Claire C. Cecchi
v. : Mag. No. 11-4059 (CCC)
JUAN MONTANEZ : ORDER FOR CONTINUANCE

This matter having come before the Court on the joint application of Paul J. Fishman, United States Attorney for the District of New Jersey (Brooke E. Carey, Assistant U.S. Attorney, appearing), and defendant Juan Montanez (Linda Foster, Esq., appearing), for an order granting a second continuance of the proceedings in the above-captioned matter for a period of 90 days to permit defense counsel the reasonable time necessary for effective preparation in this matter and to allow the parties to conduct plea negotiations and attempt to finalize a plea agreement, and the defendant being aware that the defendant has the right to have the matter submitted to a grand jury within thirty days of the date of the defendant's arrest, pursuant to Title 18, United States Code, Section 3161(b), and the defendant having consented to the continuance and waived such right, and for good cause shown,

IT IS THE FINDING OF THIS COURT that this action should be continued for the following reasons:

(1) Plea negotiations are currently in progress, and both the United States and the defendant desire additional time


to negotiate a plea agreement, which would render any grand jury proceedings and any subsequent trial of this matter unnecessary;

(2) As a result of the foregoing, pursuant to Title 18, United States Code, Section 3161(h)(7), the ends of justice served by granting the continuance outweigh the best interest of the public and the defendant in a speedy trial.

IT IS, therefore, on this 24 day of June, 2011,

ORDERED that this action be, and hereby is, continued for a period of 60 days from June 25, 2011 to August 24, 2011; and it is further

ORDERED that the period from June 25, 2011 to August 24, 2011 shall be excludable in computing time under the Speedy Trial Act of 1974.




HON. CLAIRE C. CECCHI
United States Magistrate Judge
15th

Form and entry
consented to:



Brooke Carey
Assistant U.S. Attorney



Linda Foster, Esq.
Counsel for defendant Juan Montanez